



FAIR POLITICAL PRACTICES COMMISSION

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August 6, 2003

James V. Lacy
Wewer & Lacy, LLP
Civic Center Plaza
30011 Ivy Glenn Dr., Suite 223
Laguna Niguel, CA 92677

Dear Mr. Lacy:

Thank you for your letter of August 5, 2003, regarding the compliance obligations for replacement candidates in the October 7 recall. At the Commission, we too are concerned about the impact of the recall election and the burden it will place on this agency. We too are concerned that the speed with which the recall election will occur and ease with which candidates may place their names on the ballot and run for office will result in numerous, and possibly unintentional, violations of the Political Reform Act.

As always, the FPPC needs to rely on local filing officers to ensure that potential candidates are given the proper forms to fill out when taking out or filing candidacy papers. There is every indication that filing officers are performing this task. For instance, we have already received at least one Statement of Economic Interest, required to be filed by candidates by August 9, 2003.

In addition, our Public Education Unit and Technical Assistance Division will continue to provide support to filing officers and candidates wherever possible. For example, the filing schedule for the recall election was posted on the FPPC website within hours of announcement of the date of the recall election.

The Commission regulates over 10,000 state and local candidates. We will make every effort to assist candidates in fulfilling their obligations. Ultimately, however, as with any election, it will be up to each candidate to ensure his or her compliance with the Political Reform Act.

Lastly, I wanted to provide a clarification for you. Your letter notes that candidates have to disclose each and every contribution of \$1,000 or more electronically. While Proposition 34, and legislation passed in 1998, impose various electronic filing requirements on state candidates, these requirements are not triggered until the candidate collects or spends \$50,000. Therefore, it is unlikely that electronic reporting will apply to candidates whose intentions are, as you characterize them, "not to be taken seriously." If you have any further comments or questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Liane M. Randolph".

Liane M. Randolph
Chair